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June 1, 2025

VIA ECF

Hon. Leda Dunn Wettre, U.S.M.J.
United States District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street, Room 4015
Newark, NJ 07101

RE: *Ameritas Life Ins. Corp. v. Wilmington Savings Fund Society, FSB*
Case No.: 2:24-cv-00865-WJM-LDW
Our File No. 5619.0001

Dear Judge Wettre:

This firm represents defendant Wilmington Savings Fund Society, FSB (“Defendant”) in the above-referenced action. We write to provide the Court with a concise status update in accordance with Your Honor’s April 9, 2025 Amended Scheduling Order (the “Order”).

On April 9, 2025, the Court held a status conference with the parties (the “Status Conference”).

At the Status Conference, the parties each raised certain discovery deficiencies in the other’s document productions.

Counsel for plaintiff Ameritas Life Insurance Corp. (“Ameritas”) noted that Defendant’s document production was missing documents concerning Kolel Beth Yechiel Mechil of Cong. Kahal Minchas Chinuch of Tartikov’s (“Kolel”) IRS 501(c)(3) designation. Counsel for Defendant indicated that the omission was inadvertent and that the documents would be produced. Later that same day, Defendant provided Ameritas with the requested documents.

By letter dated March 12, 2025, Defendant identified several deficiencies in Ameritas’ discovery responses and document production, including the absence of any documents concerning Ameritas’ core allegations in this action – namely, that the policy at issue was a stranger-originated life insurance (“STOLI”) or charity-originated life insurance (“CHOLI”)

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policy. Ameritas never responded to Defendant's letter. Defendant raised the issue again at the Status Conference, to which Ameritas responded that it will be producing underwriting guidelines and related materials concerning STOLI and CHOLI. As of the date of this letter, Ameritas has not produced any documents concerning STOLI or CHOLI, thereby preventing Defendant from conducting any depositions. Defendant intends on taking Ameritas' deposition once those documents are received.

On May 23, 2025, Ameritas issued a letter to Defendant concerning certain of Defendant's discovery responses, primarily questioning whether specific documents are within Defendant's possession, custody, or control. Defendant is in the process of reviewing the letter and intends to provide a response this week.

Should Your Honor have any questions or require further information, we are happy to provide it.

Respectfully yours,

LIPSIUS-BENHAIM LAW, LLP



David Benhaim

CC: All counsel of record via ECF